

**RULE 69.5. NATURAL GAS-FIRED WATER HEATERS**

(Adopted June 17, 1998; Effective January 1, 1999)

***TO BE REPEALED Effective July 1, 2016***

**(a) APPLICABILITY**

Except as otherwise provided in Section (b), this rule shall apply to any person who manufactures, distributes, sells, offers for sale, or installs natural gas-fired water heaters for use in San Diego County.

**(b) EXEMPTIONS**

The provisions of this rule shall not apply to:

- (1) Water heaters with a rated heat input capacity of 75,000 Btu per hour or greater;
- (2) Water heaters used in recreational vehicles; or
- (3) Water heaters used exclusively to heat swimming pools and hot tubs.

**(c) DEFINITIONS**

For the purpose of this rule the following definition shall apply:

- (1) **“Btu”** means British thermal units.
- (2) **“Heat Output”** means the product obtained by multiplying recovery efficiency, as defined by Section 6.1.3 of the Code of Federal Regulations, Title 10, Part 430, Subpart B, Appendix E, by the rated heat input capacity of the water heater.
- (3) **“Mobile Home”** means a structure as defined in Section 18008 of the California Health and Safety Code.
- (4) **“Mobile Home Water Heater”** means a water heater manufactured exclusively for mobile home use.
- (5) **“Rated Heat Input Capacity”** means the heat input capacity of a water heater, in Btu per hour, as specified by the manufacturer on the nameplate of the water heater.
- (6) **“Recreational Vehicle”** means a motor vehicle designed and equipped for human habitation as defined in Section 362 of the California Vehicle Code.

(7) **“Water Heater”** means a closed vessel in which water is heated by combustion of natural gas and is withdrawn for use external to the vessel at pressures not exceeding 160 psig, including the apparatus by which heat is generated and all controls and devices necessary to prevent water temperatures from exceeding 210°F (99°C).

(d) **STANDARDS**

Except as otherwise provided in Section (b), effective January 1, 1999, no person shall manufacture, distribute, sell, offer for sale, or install within San Diego County any:

(1) Natural gas-fired water heater that emits more than 40 nanograms of oxides of nitrogen (calculated as nitrogen dioxide) per joule (93 lbs of oxides of nitrogen per billion Btu) of heat output, or

(2) Natural gas-fired mobile home water heater that emits more than 50 nanograms of oxides of nitrogen (calculated as nitrogen dioxide) per joule (116 lbs of oxides of nitrogen per billion Btu) of heat output.

(e) **CERTIFICATION**

(1) A manufacturer of any new water heater to be offered for sale in San Diego County shall submit to the Air Pollution Control Officer a statement certifying that each model of water heater subject to the requirements of Section (d) of this rule complies with the provisions of this rule.

(i) The statement shall be signed, dated, and attest to the accuracy of all information.

(ii) The statement shall be submitted at least 30 days before the water heater model is offered for sale, sold, or installed within San Diego County.

(iii) The statement shall include:

(A) Brand name,

(B) Model number,

(C) Rated heat input capacity as specified on the nameplate, and

(D) Oxides of nitrogen emission test results of each model being certified.

(2) A manufacturer shall submit to the Air Pollution Control Officer a new certification statement for any water heater model whose design is changed in any manner which may alter oxides of nitrogen emissions.

(3) To comply with Subsections (e)(1) or (e)(2), a manufacturer may submit to the Air Pollution Control Officer a South Coast Air Quality Management District certification statement for the water heater model.

(f) **LABELING**

On the shipping carton and the nameplate of every water heater to be offered for sale in San Diego County, the manufacturer shall display the model number of the water heater complying with Section (e) of this rule.

(g) **RECORDKEEPING**

A manufacturer shall keep oxides of nitrogen emission test records and certification records for as long as the water heater model is offered for sale or sold within San Diego County, or for three calendar years after manufacture, whichever is longer. Such records shall be provided to the District upon request.

(h) **TEST METHODS**

To determine compliance with Section (d) of this rule, measurement of oxides of nitrogen shall be conducted in accordance with:

(1) San Diego Air Pollution Control District Test Method 100 as approved by the federal Environmental Protection Agency in May 1995, or

(2) South Coast Air Quality Management District Test Method 100.1 as approved by the federal Environmental Protection Agency in March 1989.

(i) **EMISSION TEST REQUIREMENTS**

Emission tests shall be performed in accordance with the procedures and methods outlined in the South Coast Air Quality Management District Protocol: Nitrogen Oxides Emissions Compliance Testing for Natural Gas-Fired Water Heaters and Small Boilers as it exists on June 17, 1998.